


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

ABDUL-HAKIYM ISMAIYL,)	CASE NO. 1:16 CV 1314
)	
Plaintiff,)	
)	
v.)	JUDGE DONALD C. NUGENT
)	
FATIMAH BROWN, <i>et al.</i> ,)	
)	
Defendant.)	<u>MEMORANDUM OPINION</u>
)	<u>AND ORDER</u>

The Petitioner, Mr. Ismaiyl, has filed a motion to Alter and Amend Judgment, (ECF #10), seeking to change the judgment entered by the Court on August 31, 2016, (ECF #9), which dismissed this action. Mr. Ismaiyl seeks relief pursuant to Fed.R.Civ.P. 59(e). Having reviewed Mr. Ismaiyl's motion, as well as the prior proceedings and orders, the Court has determined that nothing in the motion alters that legal conclusions that led to the dismissal of this action.

This is not the proper forum for settling the Plaintiff's allegations because, as set forth in the Court's prior order, the abstention doctrine of *Younger v. Harris*, 401 U.S. 37, 44-45 applies in this situation. Further, Mr. Ismaiyl's attempt to provide additional factual details and clarification of his allegations does nothing to undermine the Court's prior decision. For the reasons set forth in the prior opinion, Ms. Brown is not a state actor for purposes of liability under 42 U.S.C. §1983, and the state actors at issue are all protected by absolute immunity

Following a full review of the arguments presented, for the reasons set forth above, this Court denies Mr. Ismaiyl's Motion to Alter and Amend Judgment (ECF #10). The Court's Judgment Order issued on August 31, 2016 dismissing Plaintiff's claims remains in full effect. IT IS SO ORDERED.


DONALD C. NUGENT
United States District Judge

DATED: October 13, 2016